



May 24, 2012

Senate Committee on Natural Resources, Tourism, and Outdoor Recreation

**Re: OPPOSITION to SB 1130, Revisions to Michigan Critical Dunes Protection Act**

Dear Chairman Casperson and Members of the Committee:

West Michigan Environmental Council (WMEAC) **opposes** HB 1130. The proposed legislation will weaken protections for one of the state's more delicate and most picturesque natural resources.

WMEAC is a non-profit, 501C3 organization working to protect and enhance West Michigan's natural and human environments. Since 1968, WMEAC has served as a leading voice for environmental protection in West Michigan.

The Natural Resources and Environmental Protection Act currently denotes and protects only 70,000 of the 250,000 acres—less than 30 percent—of sand dunes in Michigan as "Critical." The modest protections offered by the current law reflect decades of bi-partisan consensus.

SB 1130 seeks to streamline dune permitting and development, but instead minimizes sand dune protections by adding, modifying, and eliminating numerous provisions.

If the impetus for the proposed bills was to resolve the supposed "takings" dilemma, this bill wildly oversteps. Very minimal changes to current law would remove the threat of "takings" on the particular parcels in question. Specifically addressing this issue is a more sensible approach.

The following are a FEW of our concerns with the proposed legislation. As written, the bill allows for:

- The undermining and removal of the role of local units of government in protecting and managing critical dune areas. (304g and 35302(b))
- The altered intent of the bill - from a focus on environmental protection and conservation for future generations to that of economic development and multiple human uses.(35302(b))
- The creation of driveways and parking lots in dune areas without environmental consideration.(35311(a))
- A detrimental impact on community involvement by allowing local units of government to charge an application notification fee, reducing the requirement of informing the public to a single local newspaper, and increasing the number of people required to request a public hearing while shrinking the area where those individuals must be located.(35304(1b,1d,C))
- The elimination of the need for the submission of an "environmental site assessment or environmental impact statement as part of a permit application except for special use" projects.(35313(2))
- The negation of local Conservation Districts review.(35313(1.C))

WMEAC is concerned about the implications of the aforementioned changes, and any changes that weaken Critical Dune protections. These alterations will negatively impact our quality of life and that of generations to come. Instead, the legislature should work to secure this Pure Michigan asset into perpetuity, instead of allowing for its degradation.

Sincerely,

A handwritten signature in dark ink, appearing to read "Nicholas Occhipinti", is written over a light blue horizontal line.

Nicholas Occhipinti,

WMEAC Policy and Community Activism Director

**Leading environmental protection in West Michigan by inspiring action!**

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